PLAYING SOON IN A STATE NEAR YOU--A LITTLE MORE DISCRIMINATION!

The people of Colorado recently passed "Amendment 2", a constitutional amendment that legalizes discrimination against gays and lesbians. The right-wing group originating the amendment, Colorado For Family Values, has now established permanent offices to help other cities and states pass similar legislation. Soon, you may see the same or a similar law proposed to the voters in your state. As they say in the naturist world, here's the skinny.

What's this "Amendment 2"? Amendment 2 amends the Colorado Constitution to permit discrimination against gays and lesbians. The text of this new Amendment is reproduced on this page. This amendment was cleverly billed in Colorado as "No Special Rights For Homosexuals". As you can see, that is exactly what the amendment appears to say. The political appeal of this amendment in Colorado was that most people, on first blush, would agree that here in America no one should have any more rights than anyone else.

So what's the problem? When you read through Amendment 2, you are immediately impressed with the laundry list of "special rights" that are prohibited to gays and lesbians (and you should also be impressed with the extended definition of who is gay, lesbian, or bisexual). And then you say, "They shouldn't have any special rights if I, Joe Average Citizen, don't!"

But wait--did you read all the way to the very last clause that says gays and lesbians can make no "claim of discrimination"? Do you know what that means? Is protection from discrimination a type of "special right"? That discrimination clause will be the crux of the legal and political battle that your state may soon face. But first, some background.

How will you know? When you start reading stories in your newspaper about the new push for "no special rights for homosexuals" or "no minority status for homosexuals", that will tell you that you are about to face your city or state's version of our Amendment 2 in an upcoming election. When you first read or hear about this in your state, immediately track down the proposed language, and then call us here in Colorado to learn from our experience.

Who are the likely players? You will find the proponent of your version of this constitutional amendment (or city ordinance) to be a innocuous-sounding group, probably with the term "family values" in its title. This group will have no formal ties to any political or religious group, but will proclaim itself as a group of concerned citizens reluctantly organizing against special rights for politically greedy and personally disgusting homosexuals. Sample slogans: "We love the sinner, but we hate the sin." Or, "We don't believe in discrimination, but we are against special rights."

You should not be surprised if this group's board of directors includes representatives from right-wing parachurch and fundamentalist groups. Hatred against gay and lesbian citizens is a common currency of these groups.

What will the campaign look like? Your local "family values" group will eschew religion and morality in its campaign. Homosexuals, they say, are simply asking for too many special rights in our society. Only after investigation will you find that your "family values" spokespeople, when pressed, will fall back on selected verses from the Bible as the source of authority to discriminate against gays and lesbians.

This group will initially campaign heavily in local fundamentalist churches, talking about the decay of American values that homosexuals exemplify. "Take back America for families," they say, "by stopping the radical homosexuals who want special rights." This fundamentalist beginning will give them the necessary foot soldiers to staff the rest of their campaign.

Gradually, however, their campaign will move out to average voters using the twin themes of "no special rights" and "immoral homosexuals". These themes will play again and again during the election campaign, with minor variations and distorted statistics. The final days of their campaign will feature the specter of diseased homosexuals who want only to prey on children and society, and demand your support in the process.

What's the likely response? Politically aware gays and lesbians in your state will quickly organize to counter this new "family values" right-wing threat. However, they will encounter difficulty in persuading non-gays that "no special rights" is really a threat. Further, the negative "immoral homosexual" theme is difficult to counter because many gays are still in the closet and AIDS remains stereotyped as a "homosexual disease".

An appropriate response would be that the amendment promotes discrimination and keeps gays and lesbians from being full citizens. This response springs directly from the last, and most insidious, clause of discrimination in the proposed amendment. Under our laws, all people are protected from discrimination on the basis of age, religion, race, national origin, and many other qualities; should gay and lesbian citizens remain subject to pervasive discriminations without any possibility of recourse? Unfortunately, in a political campaign, this "no discrimination" argument tends to get submerged under the weight of endless "no special rights" charges.

Success in your campaign will come from a strong and organized coalition of gay/lesbian groups and other groups or organizations concerned with civil rights. Because this coalition provides a needed element of political credibility, you will need

to start the education and coalition-building process very early on to prevail.

What will be the likely result? When the votes are counted, you may have a new and discriminatory constitutional amendment. Few voters will have actually read the amendment. Significant numbers of voters will be confused by and attracted to the "no special rights" rhetoric, and others will simply vote their prejudices. The right-wing will be delighted with (and strengthened by) this new victory over immoral homosexuality, and gays and lesbians then become subject to a new round of gay-bashing and discrimination.

What difference does it really make? In certain parts of Colorado, cities had extended their non-discrimination ordinances to protect against discrimination on the basis of sexual orientation. Our new Amendment 2 terminated these ordinances as they relate to sexual orientation. Similarly, some of our governing bodies and school districts had nondiscrimination policies covering sexual orientation. These are now cancelled in Colorado. After passing Amendment 2 (or your state's version of it), full-bodied discrimination against gays and lesbians in all areas becomes completely legal.

Now that discrimination is legal in Colorado, we are finding that the bigots are in full voice. Gay and lesbian hotlines are filled with threats, patrons at gay bars are being beaten as they exit, gays are once again in fear of their lives and livelihood, and those who allied with gays in this fight against discrimination are receiving anonymous and threatening phone calls.

Paradoxically, passage of Amendment 2 in Colorado has also strengthened alliances between gay/lesbian groups and liberal groups that have traditionally supported civil rights. And, new organizations have sprung up to oppose Amendment 2 and the groups that supported it. The upsurge in political activity and alliances has been dramatic, but unfortunately too late to prevent Amendment 2 from becoming law.

Oregon's law didn't pass. Why is Colorado's so much worse? Oregon's proposed constitutional amendment (proposition 9) fully displayed its hatred of gay and lesbian citizens, and for that reason, among others, it was too radical to pass. Colorado's constitutional amendment is, on its face, much more benign, and consequently much more of a threat as a model for other states.

What should I do? Be aware of the likelihood that you will face your state's version of Colorado's Amendment 2 in an upcoming election. Keep your eyes and ears open for references to new right-wing groups promoting "no special rights" or "no minority status" legislation or a constitutional amendment. If you see such legislation coming, act immediately to educate yourself and organize against it. Call your brother or sister groups in

Colorado to profit from their experience in fighting this battle. One coalition group that was involved in the Colorado fight is Citizens Project; you are welcome to call us at (719) 685-9899 for information.

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